

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF SOUTH CENTRAL BELL)	
TELEPHONE COMPANY FOR CONFIDENTIAL)	
TREATMENT OF INFORMATION FILED IN)	
SUPPORT OF ITS SPECIAL SERVICE)	CASE NO. 93-015
ARRANGEMENT CONTRACT WITH COIN)	
PHONE MANAGEMENT FOR AN OPERATOR)	
SERVICES PREMIUM PLAN)	

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. d/b/a South Central Bell Telephone Company ("South Central Bell") filed January 8, 1993 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue analysis and intraLATA toll volumes developed in connection with a Special Service Arrangement Contract with Coin Phone Management on the grounds that disclosure of the information is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

South Central Bell has entered into an agreement with Coin Phone Management for an Operator Assisted Premium Plan. Coin Phone Management owns and operates coin telephones and, under the plan, Coin Phone Management will be paid a premium on 0+ and 0- operator assisted toll calls originating from Coin Phone Management's telephones and terminating within the same LATA. In seeking approval of the agreement, South Central Bell has filed the revenue analysis which it seeks to protect as confidential.

The information sought to be protected is not known outside of South Central Bell and is not disseminated within South Central Bell except to those employees who have a business need to know and act upon the information. South Central Bell seeks to preserve and protect the confidentiality of the information through all appropriate means, including the maintenance of appropriate security at its offices.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1). That section of the statute exempts 11 categories of information. One category exempted in subparagraph (c) of that section is commercial information confidentially disclosed to the Commission. To qualify for that exemption, it must be established that disclosure of the information is likely to cause substantial competitive harm to the party from whom the information was obtained. To satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

South Central Bell's competitors for toll and operator services are resellers and alternate operator service companies. Such competitors could use the information sought to be protected to determine South Central Bell's costs and contribution from the service. Knowledge of this information would assist competitors in

marketing their services to Coin Phone Management. Therefore, disclosure of the information is likely to cause South Central Bell competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the revenue analysis developed in connection with the Special Service Arrangement Contract with Coin Phone Management, which South Central Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 8th day of February, 1993.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director